

Annox, Inc.

Annox, Inc.

Kentucky Tariff No. 1
First Revised Title Page

**RATES, RULES AND REGULATIONS for FURNISHING
RESALE TELECOMMUNICATIONS SERVICES**

**Filed with the
PUBLIC SERVICE COMMISSION OF KENTUCKY**

Annox, Inc.
6509 Highway 41A
P.O. Box 230
Pleasant View, Tennessee, 37146

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service for long distance telecommunications and local exchange telecommunications services provided by Annox, Inc. within the Commonwealth of Kentucky.

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Dated:

Issued by Annox, Inc. PURSUANT TO 807 KAR 5.011,
SECTION 9 (1)

BY: Phyllis Lannin
DIRECTOR, RATES & RESEARCH DIV.

By: Thomas Linder, Jr., President

CHECK SHEET

The Title Page and Pages 1 to 18, inclusive, of this tariff are effective as of the date shown. Original and revised pages, as named below, contain all changes from the original tariff that are in effect on the date thereon except as otherwise noted.

<u>Page</u>	<u>Revision Level</u>
Title	First
1	Seventh
2	Original
3	First
4	First
5	First
6	First
7	Original
8	Original
9	Original
10	Original
11	Second
12	First
13	Second
14	Second
15	Second
16	Fifth
17	Second
18	First

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SECRETARY OF THE COMMISSION

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TARIFF FORMAT

Page Numbering - Page numbers appear in the upper right hand corner of the page. Pages are numbered sequentially. From time to time new pages may be added to the tariff. When a new page is added between existing pages a decimal is added to the preceding page number. For example, a new page added between Pages 3 and 4 would be numbered 3.1.

Explanation of Symbols - When changes are made in any tariff sheet, a revised sheet will be issued canceling the tariff sheet affected. Changes will be identified on the revised page(s) through the use of the following symbols:

- (C) - To signify changed regulation.
- (D) - To signify discontinued rate or regulation.
- (I) - To signify increased rates.
- (M) - To signify material relocated from one page to another without change.
- (N) - To signify new rate, regulation or text.
- (R) - To signify reduced rate.
- (T) - To signify a change in text, but no change in rate or regulation.

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FOR THE PUBLIC SERVICE COMMISSION

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TABLE OF CONTENTS

Title Page	Cover
Check Sheet	1
Tariff Format	2
Table of Contents	3
Application of Tariff	4
Section 1 - Technical Terms and Abbreviations	5
Section 2 - Rules, Regulations, & Service Quality Criteria	7
Section 3 - Description of Services and Rates	10
Section 4 - Local Exchange Service	11
Section 5 - Prepaid Long Distance Service	18

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Annox, Inc.

Kentucky Tariff No. 1
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Application of Tariff

This tariff contains the regulations and rates applicable to the furnishing of intrastate resale common carrier communications service by Annox, Inc. within the Commonwealth of Kentucky.

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By: Phillip Lannin
DIRECTOR, RATES & RESEARCH DIV.
By: Thomas Linder, Jr., President

SECTION I - TECHNICAL TERMS AND ABBREVIATIONS

Account Code - A numeric or alpha-numeric sequence unique to each Debit Card which validates the caller's authorization to use the card.

Authorized User - A person, firm, corporation, or any other entity authorized by the company to utilize the company's services.

Available Usage Balance - The amount of usage remaining on a Debit Account at any particular point in time. Each Debit Account has an Initial Account Balance which is stated either in U.S. dollars or Call Units, depending upon the type of service. The Available Balance is depleted as services provided by the Company shall apply to payment arrangements.

Billed Party - The party responsible for payment of charges applicable to intrastate calls placed using the carrier's services.

Company or Carrier - Annox, Inc., unless clearly indicated by the context.

Customer - The person, firm, corporation or other entity which orders, cancels, amends or uses service and is responsible for payment of charges and compliance with the Company's tariff.

Debit Account - An account which consists of a pre-paid usage balance depleted on a real-time basis during each Debit Service call.

Debit Card - A card issued by the Company which provides the Customer with an Account Code and instructions for accessing the Carrier's long distance network.

Debit Service Call - A service accessed via a "1-800" or other access code dialing sequence whereby the Customer or Authorized User dials all of the digits necessary to route a call. Network usage for each call is deducted from the available usage balance on a Company issued Debit Account.

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By: Thomas Lindor, *President*
DIRECTOR, RATES & RESEARCH DIV.

SECTION I - TECHNICAL TERMS AND ABBREVIATIONS, CONTINUED

End User - The term "end user" denotes an individual who places and/or accepts calls placed over the carrier's services. The end user may or may not be directly responsible for billing of calls, depending upon the payment method selected by the customer.

Holidays - The company's recognized holidays are New Year's Day, Memorial Day, Independence Day, Memorial Day, Labor Day, Thanksgiving Day and Christmas Day.

Initial Usage Balance - The amount of usage on a Debit Account upon issuance and before any depleting call activity.

LEC - Local Exchange Company.

Local Call - Any call which, if placed by a customer over the facilities of a local exchange telephone company, would not be rated as a toll call.

Marks - A collective term to mean such items as trademark, service marks, trade names and logos; copyrighted words, artwork, designs, pictures or images; or any other device or merchandise to which legal rights or ownership are reserved by an entity.

Pay Per Usage Service Charges - Charges for services which incur an additional fee for each use, including, but not limited to, intraLATA and interLATA toll calls, 1+ calls, 10XXX calls, 101XXX calls, 411, 900, 700, 555, 500, and N11 number calls, Call Return, Three-Way Calling, Repeat Digit, Audiotex Service, Dial-It 976, 915 and 556 calls, pay-per-call services, Operator Services calls, Collect, and Bill-to-Third Number calls.

P.S.C. KY - Public Service Commission of Kentucky.

Renewal - A method of replenishing a Debit Account's Available Usage Balance with additional minutes of usage as authorized and paid for by the customer.

Toll Call - Any call extending beyond the local exchange of the originating caller which is rated on a toll schedule by the local exchange telephone company.

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BY: Phyllis Tamm
DIRECTOR, RATES & RESEARCH DIV

SECTION II - RULES, REGULATIONS & SERVICE QUALITY CRITERIA**2.1 Undertaking of the Company**

2.1.1 Annox, Inc. Debit Card Service is available to residential and business subscribers for placing long distance calls. Calls are originated by dialing the "800" access number printed on the card, followed by an account identification number. Debit card accounts maintain a balance which is depleted on a real-time basis as calls are placed. Customers are notified of the remaining account balance at the beginning of each call. Calls may originate from standard residential, business or pay telephone access lines and may terminate to any interstate or intrastate location. Calls are billed in one (1) minute increments. The minimum call duration for billing purposes is one (1) minute. Annox Debit Card Service is available twenty-four hours a day, seven (7) days per week.

2.1.2 The number of available cards is subject to technical limitations.

2.1.3 Annox Debit Card Long Distance service is offered pursuant to a resale agreement with a major interexchange carrier authorized to do business in the Commonwealth of Kentucky.

2.2 Limitations

2.2.1 Service is offered subject to the availability of the necessary facilities and equipment and subject to the provisions of this Tariff.

2.2.2 Annox reserves the right to discontinue or limit service when necessitated by conditions beyond its control, or when the Customer is using service in violation of provisions of this Tariff or of the law.

2.3 Use

Services provided under this Tariff may be used for any lawful purpose for which the service is technically suited.

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FOR THE PUBLIC SERVICE COMMISSION
By: Thomas Linder, Jr., President

SECTION II - RULES, REGULATIONS & SERVICE QUALITY CRITERIA, CONT.

2.4 Liabilities of the Company

- 2.4.1 Annox's liability for damages arising from any failure of service shall not exceed an amount equivalent to the charges to the Customer for the period during which the failure occurs.
- 2.4.2 Annox shall not be liable for any claim or loss not directly caused by negligence of the Company.
- 2.4.3 Annox shall not be liable for any claim or refund as a result of loss or theft of Debit cards issued for use with the Company's services. Annox will not be liable for any claim or refund on any unused balance remaining on a Debit Card provided to a Customer before or after the expiration date assigned to each Debit Card.

2.5 Deposits and Advance Payments

Debit Cards must be purchased in advance and are valid only for the pre-paid amount.

2.6 Taxes

All federal, state, and local taxes are included in the pre-paid rate.

2.7 Payment for Service

- 2.7.1 Customers contact Annox through an 800 number, arrange to purchase a Debit Card, pay the applicable \$10.00 or \$20.00 fee to a local contracted agent, and then are mailed by U.S. Postal Service Certified Mail the Debit Card along with the Account Code used to access the Debit Account.
- 2.7.2 Upon depletion of the initial purchase amount, the card can be recharged for an additional advance purchase amount by phoning customer service and paying for the desired recharge amount by use of a major credit card.

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FOR THE PUBLIC SERVICE COMMISSION
By: Thomas Linder, Jr., President

SECTION II - RULES, REGULATIONS & SERVICE QUALITY CRITERIA, CONT.**2.8 Customer Service and Contested Depletion by Account Use**

The telephone number for Annox's Customer Service Department is printed on the back of each Debit Card. Any customer concerns that a mistake has been made in the debit account depletion will be promptly investigated by Annox. If the depletion is due to technical or administrative error, the amount will be reinstated into the account. If the depletion is due to use of the card, including unauthorized use, the depleted amount will not be reinstated into the account. Questions regarding depletion of an account must be made within 60 days.

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SECTION III - DESCRIPTION OF SERVICES AND RATES**3.1 Service Offerings and Rates**

3.1.1 Debit cards may be purchased in either a \$10.00 or \$20.00 account total. Each minute or portion of a minute is depleted at .29 cents per minute.

3.1.2 Exclusions

Calls to 809, 011, and 900 numbers, calls requiring the quotation of time and charges, and air to ground and high seas services are blocked.

3.1.3 Service Availability

3.1.3.A All calls must be charged against an Annox Debit Card that has sufficient available balance.

3.1.3.B A customer's call will be interrupted with an announcement one minute before the balance will be completely depleted. The Customer will be requested to enter another valid Debit Card number in order to continue the call or can recharge the current card.

3.1.3.C Calls in progress will be terminated by the Company if the balance on the Annox Debit Card is insufficient to continue the call and the Customer fails to recharge the card or enter another valid Annox Debit Card number prior to termination.

3.1.3.D Payment for the Annox Debit Card and any Available Usage in a Customer's Debit Account is non- refundable.

3.2 Directory Assistance

Directory Assistance is available to Annox Debit Card Customers. The debit account will be depleted in the amount of the applicable per usage charge.

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Dated:

By: Jordan C. Neel
FOR THE PUBLIC SERVICE COMMISSION
By: Thomas Linder, Jr., President

SECTION IV - LOCAL EXCHANGE SERVICE

4.1 Local Exchange Service Undertaking of Annox, Inc.

- 4.1.1 Annox's services are furnished for residential communication in the Commonwealth of Kentucky.
- 4.1.2 Annox provides for installation, operates, and maintains the communications services provided hereunder in accordance with the terms and conditions set forth under this tariff.
- 4.1.3 Annox's services are provided on a monthly, pre-paid basis, unless ordered on a longer term basis, and are available twenty-four hours per day.

4.2 Local Exchange Service Limitations

- 4.2.1 Service is offered subject to the availability of facilities and the provisions of this price list.
- 4.2.2 Annox reserves the right to discontinue furnishing service, or limit the use of service necessitated by conditions beyond its control, or when the customer is using service in violation of the law or the provisions of this price list.
- 4.2.3 All services provided under this price list are directly controlled by Annox and the customer may not transfer or assign the use of the service, except with the express written consent of Annox. Such transfer or assignment shall only apply where there is no interruption of the use of the service.
- 4.2.4 Prior written permission from Annox is required before any assignment or transfer. All regulations and conditions contained in this Price List shall apply to all such permitted assignees or transferees, as well as all conditions for service.

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4.3 Local Exchange Service Liabilities of the Company

4.3.1 Annox's liability for damages arising out of mistakes, interruptions, errors, or defects in the transmission occurring in the course of furnishing service, and not caused by the negligence of its employees or its agents, in no event shall exceed an amount equivalent to the proportionate charge to the customer for the period during which the aforementioned faults in transmission occur.

4.3.2 Annox shall be indemnified and held harmless by the customer against:

(A) Claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content transmitted over Annox's facilities.

(B) All other claims arising out of any act or omission of the customer in connection with any service or facility provided by Annox.

4.3.3 Acceptance of the liability provisions contained in this price list by the Commission does not constitute its determination that the limitation of liability imposed by Annox should be upheld in a court of law, but the recognition that, as it is the duty of the courts to adjudicate negligence claims and rights to recover damages therefor, so it is the duty of the courts to determine the validity of the exculpatory provisions of this price list.

4.4 Interruption of Service

4.4.1 Credit allowance for the interruption of service which is not due to testing or adjusting, negligence of the customer, or to the failure of channels or equipment provided by the customer, are subject to the general liability provisions set forth in Section 4.3 herein. It shall be the obligation of the customer to notify Annox immediately of any interruption in service for which a credit allowance is desired. Before giving such notice, the customer shall ascertain that the trouble is not being caused by any action or omission of the customer and connected to Annox's facilities.

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BY: *Phyllis Lannin*
DIRECTOR, RATES & RESEARCH DIV.

By: Thomas Linder, Jr., President

- 4.4.2 For purposes of credit computation, every month shall be considered to have 720 hours.
- 4.4.3 No credit shall be allowed for an interruption of a continuous duration of less than twenty-four hours.
- 4.4.4 The customer shall be credited for an interruption at the rate of 1/720th of the monthly charge for the facilities affected for each hour or major fraction thereof that the interruption continues.

Credit Formula:
$$\text{Credit} = \frac{A \times B}{720}$$

A = outage time in hours

B = total monthly charge for affected facility

4.5 Restoration of Service

- 4.5.1 The use and restoration of service shall be in accordance with the priority system specified in the Rules and Regulations of the Federal Communications Commission.

4.6 Deposits

- 4.6.1 Deposits are not required. Deposits are not applicable as service is offered only on a pre-paid basis.

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4.7 Taxes

4.7.1 Federal, state and local taxes are not included in the installation charge or quoted monthly service rates. Applicable federal, state and local taxes are assessed to the Customer and must be paid in advance with the base fees.

4.8 Terminal Equipment

4.8.1 Annox's facilities and service may be used with or terminated in Customer-provided terminal equipment or Customer-provided communications systems, such as a telephone set, PBX or key system. Such terminal equipment shall be furnished and maintained at the expense of the Customer except as otherwise provided. The Customer is responsible for all costs at his or her premises, including wiring, electrical power, etc. incurred in the use of Annox's service. When such terminal equipment is used, the equipment shall comply with the generally accepted minimum protective criteria standards of the telecommunications industry as endorsed by the Federal Communications Commission.

4.9 Installation

4.9.1 Service is installed upon mutual agreement between the Customer and the Company. The service agreement does not alter rates specified in this price list.

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4.10 Payment for Service

4.10.1 The Customer is responsible for payment of all charges for services and equipment furnished to the Customer or to an Authorized User of the Customer by Annox, Inc. All charges due by the Customer are payable to Annox or to Annox's authorized billing agent. Terms of payment shall be according to the rules and regulations of the billing agent and subject to the rules of regulatory agencies, including the Commission.

4.10.2 Customers must prepay for all services to be rendered. Customers must prepay the applicable installation charge and the first month's Local Exchange Service charge before service begins. In each subsequent month, customers will be sent an invoice by U.S. Postal Service no later than the 20th day of each month. The invoice will be due by the 5th day of the following month. At least one phone call is made to each customer before service is disconnected. If a customer fails to pay the invoice in full by the 5th day of the month, service will be discontinued.

4.11 Local Exchange Service

4.11.1 Annox offers Basic Touch Tone Service in the local exchange service on a pre-paid, flat rate basis only.

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By: Thomas Linder, Jr., President

4.12 Emergency Service

4.12.1 All Annox customers have access to Emergency 911 service.

4.13 Directory Listing

4.13.1 All Annox customers will be listed in the local White Pages Telephone Directory, unless requested otherwise by the customer, in the same manner as regular BellSouth customers are listed.

4.14 Pay per Usage Services

4.14.1 All pay per usage services are blocked for use by Annox customers. Pay per usage services are those services which incur an additional fee each time they are accessed and include, but are not limited to, intraLATA and interLATA toll calls, 1+ calls, 10XXX calls, 101XXX calls, 411, 900, 700, 555, 500, and N11 number calls, Call Return, Three-Way Calling, Repeat Digit, Audiotex Service, Dial-It 976, 915 and 556 calls, pay-per-call services, Operator Services calls, Collect, and Bill-to-Third Number calls. **If a customer is successful in accessing a pay-per-usage or toll call, the customer will be billed for the total charges the next month. If the customer refuses to pay the charges, telephone service will be disconnected and collection actions to collect the debt will be taken.**

4.15 Service Offerings

Basic Touch Tone Service (per month) \$39.95 (plus applicable tax)

4.16 Installation

Installation (one time fee) \$60.00 (plus applicable tax)

Installation \$45.00
(within 30 days of disconnection)

No Deposit Required

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4.17 Custom Calling Services

	Monthly Rate	USOC
Call Forwarding Variable	\$5.00	ESM
Call Waiting	\$5.00	ESX
Customer Control of Call Forwarding Don't Answer	\$6.00	GJC
Three-Way Calling	\$5.00	ESC
Call Block	\$6.00	NOB
Call Return	\$5.00	NSS
Call Selector	\$6.00	NSK
Call Tracing	\$6.00	NST
Repeat Dialing	\$6.00	NSQ
Memory Call	\$10.00	MBBRX
Caller ID Deluxe	\$10.00	NXM
Non-Published Number	\$5.00	
Inside Wire Maintenance	\$5.00	

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SECTION 5 - PREPAID LONG DISTANCE**5.1 Customers Served**

5.1.1 All Annox prepaid local exchange service customers will be eligible to purchase prepaid long distance service.

5.2 Service Offering

5.2.1 Long distance service is purchased on a pre-paid basis in blocks of one hundred eight minutes. To make a long distance call, the end user must dial an 800 number, a pin number, and then the desired telephone number. There is a one minute warning at the impending depletion of the 108 minutes before long distance service is discontinued. In order to purchase an additional 108 minutes of service, payment by money order must be received by Annox.

5.3 Long Distance Pay per Usage Services

5.3.1 All long distance pay per usage services are blocked for use by Annox long distance customers. Pay per usage services are those services which incur a fee higher than or in addition to the regular long distance charge. Such services include, but are not limited to, 411, 555, 900, 700, 500, and N11 number calls, Dial-It 976, 915 and 556 calls, pay-per-call services, Operator Services calls, Collect calls, and Bill-to-Third Number calls.

5.4 Rates

Long Distance Service (108 minutes of time)	\$29.99
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5.5 Installation

There is not an installation fee.

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